

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2711 OF 2006
IN
SESSIONS CASE NO.171 OF 2005

Rahul K. Mishra and another	Applicants
versus	
The State of Maharashtra	Respondent

Ms.S.M.Deshpande for applicants.
M.M.Deshmukh for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 18th August 2006

PC :

1. Heard both sides. Perused the application and the annexures thereto including the order passed by Brother Justice Kanade in Criminal Application No.8479 of 2005.

2. It is not seriously disputed that the case of the present applicants is identical to that of the applicant in Criminal Application No.8479 of 2005. The allegations are identical so also the recoveries. Both applicants were identified and yet the order enlarging them on bail has been passed by this Court. There are similar orders

with regard to other accused as well. In these circumstances, the applicants are entitled to be released on bail. Accordingly, following order.

3. ORDER :-

(i) The applicants shall be enlarged on bail in connection with C.R.No.I 209/2005 registered with Kalamboli Police Station, subject to furnishing personal bonds of Rs.5,000/- each with two local sureties in the like sum;

(ii) The applicant shall report to Kalamboli Police Station twice in a month;

(iii) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

(iv) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

(v) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial.

(vi) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)